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## CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; see Privacy Act Statement on reverse before completing this form.

ENTER CHARGE  
NUMBER  
 FEPA  
 EEOC 420-2000-01267

NAME  
Robert C. Cyrus

HOME TELEPHONE NO.  
334-215-1967

STREET ADDRESS  
7030 Heathermore Loop

CITY, STATE AND ZIP CODE  
Montgomery, AL 36117

COUNTY  
Montgomery

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME  
Hyundai Motor Manufacturing Alabama  
LLC

NO. OF EMPLOYEES/MEMBERS  
SEVERAL HUNDRED  
500 +

TELEPHONE NUMBER  
334-387-8000

STREET ADDRESS  
700 Hyundai Blvd., Montgomery, AL 36105

CITY, STATE AND ZIP CODE

CAUSE OF DISCRIMINATION BASED ON  
Race, National Origin and Retaliation

DATE MOST RECENT OR CONTINUING  
DISCRIMINATION TO PLACE  
12/6/05

## THE PARTICULARS ARE:

I am a white American. I was employed at HMMA. Prior to October 22, 2005, I had no problems in my position at HMMA. My position with HMMA was director of purchasing. In September I had met with Mr. Duckworth and reported issues of Koreans discriminating against Americans, sexual harassment and Koreans involved in workplace violence. I had no difficulty with anyone except on one occasion in September, 2005. I and my Korean counterpart Mr. J. Y. Choi went to a meeting where Mr. H. I. Kim became enraged at some visitors. Mr. J. Y. Choi, also director of purchasing at HMMA, but a Korean, and I both spoke to have Mr. Kim allow the visitor to make their presentation. Later that afternoon Mr. Choi told me in front of Mr. Lee, another Korean that we had done nothing wrong. Mr. Choi told me that Mr. Kim had gone to President Ahn, another Korean, complaining about the meeting. I then spoke with Mr. Duckworth, an American, who is Deputy President of HMMA. Mr. Duckworth assured me that I had nothing to worry about, it was just the Korean's style. He said my reputation and standing with the Company were excellent. However, on October 22, 2005, with nothing in the intervening period, Mr. Duckworth called me to a meeting away from work and asked me to turn in my resignation stating that President Ahn and Mr. Kim were upset with me and would like for me to resign. I asked Mr. Choi after this meeting with Mr. Duckworth, Mr. Choi said nothing happened to him. I wrote a letter to President Ahn, Mr. Duckworth, and Mr. Kim, the director of Human Resources of HMMA complaining about race discrimination on November 6, 2005. On December 6, 2005, I received a letter from Mr. Duckworth terminating my employment at HMMA. Between the time of my meeting with Mr. Duckworth on October 22, 2005, and my termination on December 6, 2005, I was not allowed to return to my regular duties. I believe that my termination was based on race and National Origin and that I am a American and a Korean, who did exactly what I did, was in the exact same position that I was, received no adverse employment action. Furthermore, the individual requesting my resignation were identified as the Korean President and Korean Chief Operating Officer of HMMA.

I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the foregoing is true and correct.

MARCH 5, 2006

Date

Charging Party (Signature)

## ATTORNEY FOR THE CHARGING PARTY:

Richard J. Stockham, III  
Stockham, Carroll & Smith, P.C.  
2204 Lake Shore Drive, Suite 114  
Birmingham, AL 35209  
Telephone (205) 879-9954

**DISMISSAL AND NOTICE OF RIGHTS**

To: Robert C. Cyrus  
 c/o Richard J. Stockham, III  
 Stockham, Carroll & Smith, P.C.  
 2204 Lakeshore Dr., Ste. 114  
 Birmingham, AL 35209

From: Birmingham District Office  
 Ridge Park Place  
 1130 22<sup>nd</sup> Street South  
 Suite 2000  
 Birmingham, AL 35205

[ ] On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR § 1601.7(a))**

Charge No.	EEOC Representative	Telephone No.
420-2006-01267	Serena Curry, Investigator	(205) 212-2072

**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

- [ ] The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- [ ] Your allegations did not involve a disability that is covered by the Americans with Disabilities Act.
- [ ] The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- [ ] We cannot investigate your charge because it was not filed within the time limit required by law.
- [ ] Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.
- [ ] While reasonable efforts were made to locate you, we were not able to do so.
- [ ] You had 30 days to accept a reasonable settlement offer that afford full relief for the harm you alleged.
- [X] The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- [ ] The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- [ ] Other (briefly state) \_\_\_\_\_

**- NOTICE OF SUIT RIGHTS -**

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** from your receipt of this Notice; otherwise, your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred **more than 2 years (3 years)** before you file suit may not be collectible.

On behalf of the Commission

Delner Franklin-Thomas, District Director

(Date Mailed)

Enclosure(s)

cc: Hyundai Motor Manufacturing, LLC  
 c/o Brian R. Bostick  
 Ogletree & Deakins  
 1819 Fifth Avenue North, Ste. 1000  
 Birmingham, AL 35203-2118

